

May 12, 2021

President Stonecipher announced that the Council is still abiding by Governor Inslee's Stay Home, Stay Healthy order, and as a result, City Council meetings will continue to be held remotely with all meetings scheduled at 6:30 p.m. each Wednesday, except the fourth Wednesday of the month when the meeting is scheduled at 12:30 p.m. She encouraged citizens to submit comments and concerns by email to [council@everettwa.gov](mailto:council@everettwa.gov) prior to the meeting or to call the Council office at 425-257-8703. President Stonecipher stated that live public comment will be accepted one-half hour before the start of the meeting by calling 425.616.3920, Conference ID 816 282 83#. If citizens have difficulty calling in or connecting, please contact [dwilliams@everettwa.gov](mailto:dwilliams@everettwa.gov). Individuals may also call 425.616.3920 to listen to the Council meetings, Conference ID 724 887 726#. Citizens are encouraged to view meetings live on Comcast Channel 21, Frontier Channel 29, and on the City website at [www.everettwa.gov/citycouncil](http://www.everettwa.gov/citycouncil).

The regular meeting of the Everett City Council was called to order at 6:31 p.m., May 12, 2021, Council President Stonecipher presiding. Upon roll call, it was found that Mayor Franklin and Council Members Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, and Tuohy were present.

The minutes of the May 5, 2021, City Council meeting were approved as printed.

#### MAYOR

Mayor Franklin had no comments.

#### COUNCIL

Council Member Murphy announced that today was the final day of the holy month of Ramadan. He wished everyone in the community a Happy Ramadan to those in observance.

Council Member Tuohy provided a liaison report from her attendance at the Cultural Arts Commission meeting yesterday. She also announced that the South Everett Public Library will be the location for the upcoming COVID community art project.

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Council Member Bader reported on the five meetings he attended with Council Member Stonecipher, Mayor Franklin, Fire Chief Dave DeMarco, and Fire District 4. He announced that Chief DeMarco is scheduled to brief the Council on May 26<sup>th</sup>.

Council Member Vogeli reported that she spoke with some people from the Alliance for Gun Responsibility. She reminded everyone that gun violence is preventable, and no matter your circumstance, you are not alone. She encouraged those having a difficult time to reach out to their support network.

Council Member Roberts suggested the Council meetings begin with a “lands acknowledgement” to recognize Indigenous Peoples as stewards of the land. He reported that he attended the Riverside Neighborhood meeting yesterday, and he provided an update from his meeting with the collaborative leadership team.

Council Member Moore provided a liaison report from his attendance at the Diversity Committee meeting. In response to Council Member Roberts’ comments on land acknowledgment, he noted that the Diversity Committee is currently working on the “right fit” for Everett, and he looked forward to hearing more in the future.

President Stonecipher provided a liaison report from her attendance with Council Member Vogeli at the Westmont Holly Neighborhood Association meeting last night.

#### ADMINISTRATION UPDATE

Deputy Mayor Nick Harper echoed comments made by Council Member Moore, noting that Julie Willie, Community Development, is working closely with the Diversity Board and coordinating closely with the Tulalip Tribes and other tribes in our community to make sure that any language brought forward is meaningful to them.

President Stonecipher stated she looked forward to hearing more and noted that adding a land acknowledgment is something that is overdue in our community.

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CITY ATTORNEY

Ramsey Ramerman, Legal, requested the Council to authorize the Mayor to sign the settlement agreement between the City of Everett and former Everett Police Department Lieutenant Jimmy Phillips.

**Moved by Council Member Bader, seconded by Council Member Roberts, to authorize the Mayor to sign the Settlement and Release Agreement between the City of Everett and Jimmy V. Phillips in the amount of \$89,000.**

Roll was called with all council members voting yes.

**Motion carried.**

PUBLIC COMMENTS

Joe Kunzler, Skagit County, commented on the Rethink Everett Transit Phase 2 summary, noting he was pleased with the results.

Deb Williams, Council, stated no written comments were submitted.

CONSENT ITEMS:

**Moved by Council Member Roberts, seconded by Council Member Tuohy, to approve the following consent items:**

RESOLUTION – PAYROLL CLAIMS

**To adopt Resolution No. 7641 authorizing payroll claims against the City of Everett in the amount of \$4,221,046.63 for the period ending April 30, 2021.**

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RESOLUTION – CLAIMS

**To adopt Resolution No. 7642 authorizing claims against the City of Everett in the amount of \$923,130.05 for the period of April 24, 2021, through April 30, 2021.**

RESOLUTION – ELECTRONIC TRANSFER CLAIMS

**To adopt Resolution No. 7643 authorizing electronic transfer claims against the City of Everett in the amount of \$7,468,615.81 for the period of March 1, 2021, through March 31, 2021.**

RESOLUTION – SURPLUS AND SALE OF 2003 VOLVO VACTOR TRUCK

**To adopt Resolution No. 7644 declaring a 2003 Volvo Vactor Truck surplus and authorizing sale at public auction.**

AGREEMENT AMENDED – RETHINK EVERETT TRANSIT PROJECT

**To authorize the Mayor to sign Amendment No. 2 to the Professional Services Agreement with Nelson\Nygaard Consulting Associates.**

JOB COMPLETE – EVERETT STATION PARKING EXPANSION PROJECT

**To accept the Everett Station 80 Stall Parking Expansion Project as complete with Rodarte Construction, Inc. and authorize the Mayor to sign the Certificate of Completion.**

INTERAGENCY AGREEMENT – JOB ORDER CONTRACT / GENERAL  
CONSTRUCTION SERVICES RFP #2018-022

**To authorize the Mayor to sign the Interagency Agreement with Northshore Parks and Recreation Service Area.**



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AGREEMENT AMENDED – GENERAL CONSTRUCTION SERVICES

**To authorize the Mayor to sign Job Order Contract Amendment No. 4 to RFP #2018-022 for General Construction Services with Forma Construction.**

AGREEMENT – FY 2021 PORT SECURITY GRANT PROGRAM

**To authorize the Mayor to sign all documents related to the application, acceptance and utilization of the FY 2021 Port Security Grant Program with FEMA and the Department of Homeland Security in the amount of \$178,895, for the purchase of a fully contained mobile dive trailer and remote operating vehicle system.**

Roll was called with all council members voting yes.

**Motion carried.**

**PROPOSED ACTION ITEMS:**

COUNCIL BILL 2104-13

SECOND READING:

AN ORDINANCE amending Ordinance No. 3709-19, entitled “Fire Station No. 2 and Fire Station No. 6 Additions and Alterations,” Fund 342, Program 029, to accumulate the construction funds for the project in the amount of \$930,000

COUNCIL BILL 2105-14

FIRST READING:

AN ORDINANCE creating a Special Improvement Project, entitled “17th Street Interceptor Upgrades,” Fund 336, Program 020

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COUNCIL BILL 2105-15

FIRST READING:

AN ORDINANCE creating a Special Improvement Project, entitled "Port Gardner Bay Outfalls Water Quality Treatment Retrofit," Fund 336, Program 019

ACTION ITEMS:

COUNCIL BILL 2104-12

THIRD AND FINAL READING:

AN ORDINANCE creating a Special Improvement Project, entitled "40<sup>th</sup> Place Landslide Repair," Fund 303, Program 122

**Moved by Council Member Tuohy, seconded by Council Member Bader, that this is declared to be the third and final reading of Council Bill No. 2104-12.**

The City Clerk was directed to call the roll for the final disposition of the ordinance.

AYES:	Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS:	None
EXCUSED:	None

**Ordinance 3803-21 adopted.**

AGREEMENT – ENGINEERING CONSULTANT SERVICES FOR WFP PORTAL 4 IMPROVEMENTS PROJECT

**Moved by Council Member Tuohy, seconded by Council Member Bader, to authorize the Mayor to sign the Professional Services Agreement with Brown and Caldwell, Inc., to provide engineering consultant services for the Water**

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**Filter Plant Portal 4 Improvements project for a total amount not to exceed \$257,852.**

Roll was called with all council members voting yes.

**Motion carried.**

**AGREEMENT AMENDED – WFP EMERGENCY GENERATOR DESIGN, BIDDING, AND CONSTRUCTION SUPPORT SERVICES**

**Moved by Council Member Tuohy, seconded by Council Member Bader, to authorize the Mayor to sign Amendment No. 2 to the Professional Services Agreement with Sazan Group, Inc., for Water Filter Plant Emergency Generator design, bidding, and construction support services to include additional analysis and design services, extend the contract completion date, and increase the compensation by \$284,549 for a total amount not to exceed \$1,435,365.**

Roll was called with all council members voting yes.

**Motion carried.**

**COUNCIL BRIEFING AGENDA:**

*2021 Legislative Update*

Presented by Deputy Mayor Nick Harper; Erin Dziedzic, Dziedzic Public Affairs; and Lyset Cadena, Lyset Cadena Consulting

Council Member Murphy expressed an interest in learning more in the future about whether House Bill 1386 would be adopted citywide or if the City would be able to designate certain areas on a case-by-case basis within the city that would qualify.

Deputy Mayor Harper clarified that Council would most likely designate targeted

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areas that could be beneficiaries of the exemption, and more information would be forthcoming.

Council Member Bader asked the following:

- What legislation came out of Olympia that will cost the City more money to implement or legislation that may cause the City to forgo revenue, e.g., the measure to reduce drug possession from felony to misdemeanor?
- What approved legislation would make it more difficult for law enforcement to make arrests or for prosecutors to keep someone off the street or in jail?
- What approved legislation may change the relationship between the City and labor that may make it harder to discipline or discharge employees?

Nick Harper stated that several of the approved bills could shift costs, and more information will be provided at future briefings.

Council Member Roberts stated that after staff has had an opportunity to review the legislation, he would be interested in getting a secondary report that outlines the impacts to the City's operations, organization, and budget. He also asked for more information relating to the tax increment financing legislation and the constitutional challenges with implementation.

Erin Dziedzic stated she would provide more information to Council. Dan Eernisse, Economic Development, also provided clarifying comments.

President Stonecipher stated she would be interested in receiving more information about the climate commitment act and whether Everett would be the recipient of some of the funds. She also expressed an interest in learning more about how a non-profit could impact pedestrian, biking, and transit.

*Adopt Resolution approving the City of Everett 2020 Comprehensive Water Plan and authorize submittal to the Washington State Department of Health.*

Presented by Soheil Nasr, Public Works




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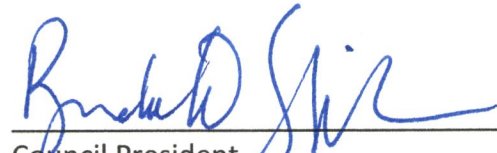
Council Member Murphy inquired about possible reviews to ensure there is good security to prevent cyber-attacks.

Lori Cummings, Administration, stated the City's IT Department has been consistently looking at the area of cyber security enhancement. She stated she would ask IT Director Steven Hellyer to provide Council with a summary.

The City Council meeting was adjourned at 8:19 p.m.

  
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City Clerk

Read and approved as printed.

  
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Council President